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Mothers' Assistance Law

of

Pennsylvania

Act of July 10, 1919, with
Amendments Thereto

Department of Welfare
Harrisburg

JOHN D. PENNINGTON, Secretary
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MOTHERS' ASSISTANCE LAW of PENNSYLVANIA

Act of July 10, 1919, with Amendments Thereto

AN ACT

Providing for assistance to certain mothers; providing for the appointment of boards of trustees for the several counties of the Commonwealth, and for the appointment of a State supervisor and assistants, and fixing the salaries of such State supervisor and assistants; defining the powers and duties of boards of trustees, including the power of appointing assistants and investigators, and the distribution of funds at their disposal; providing for the apportionment of the State appropriation among the several counties, and requiring counties coming under the provisions of the act to appropriate certain moneys; and providing penalties.

APPOINTMENT OF TRUSTEES

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, that in each county of the Commonwealth the Governor shall appoint a board of trustees composed of seven women, residents of the county, to be called the Board of Trustees of the Mothers' Assistance Fund.

Except as herein otherwise provided such trustees shall hold office for a term of six years and until their successors are duly appointed and qualified.

The first board of trustees of a county shall be appointed as follows: two for two years each, two for four years each, and three for six years each, from the first day of June next succeeding.

In all counties which have boards of trustees now in office, such boards shall continue in office as heretofore unless removed by the Governor.

If the terms of trustees shall expire, the Governor shall appoint successors for terms of six years each.

Vacancies other than those due to the expiration of a term shall be filled by appointment by the Governor for the unexpired term.

No member of the board, and no investigator, clerk or other employee of the board shall be a member of or delegate or alternate delegate to any political convention, nor be present at any such convention as an employee or in any official capacity, nor serve as a member of, or attend meetings of any political committee, of any political party or take any active part in political management or in political campaigns or use his or her position to influence political movements or to use his or her position to influence the political action of any other person, nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot, nor be within fifty feet of any polling place during voting hours, and the counting of the ballots except for the purpose of residence

or travel. No member of the board and no investigator, clerk or other employee of the board shall directly or indirectly demand, solicit, collect or receive or be in any manner concerned in demanding, soliciting or receiving any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatever. Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500) and forfeit his or her position or office.

Sec. 1, Act of July 10, 1919, P. L. 893, as amended by Sec. 1, Act No. 50, of Aug. 7, 1936.

Sec. 2. (Repealed by Sec. 12, Act No. 50, of Aug. 7, 1936.)

Powers and Duties of the Department of Welfare

Section 3. The Department of Welfare shall have general supervision over the boards of trustees of the several counties.

The Department of Welfare shall formulate and issue to the boards of trustees of the various counties rules of procedure by which they shall be governed to the end that uniformity of interpretation and practice shall obtain throughout the Commonwealth.

The Department by its duly authorized agents shall visit at least twice each year the boards of trustees of each county.

Sec. 3, Act of July 10, 1919, P. L. 893, as amended by Sec. 2, Act No. 50, of Aug. 7, 1936.

LOCAL SUPERVISION BY BOARDS OF TRUSTEES ET CETERA

Section 4. Subject to the general supervision of the Department of Welfare the administration of this act within the several counties shall be solely in the hands of the boards of trustees appointed by the Governor. The members of the boards of trustees shall serve without compensation, but shall receive all, actual and necessary expenses incurred in the performance of their duty.

Sec. 4, Act of July 10, 1919, P. L. 893, as amended by Sec. 3, Act No. 50, of Aug. 7, 1936.

HEADQUARTERS OF TRUSTEES; EMPLOYEES; ADMINISTRATION EXPENSES

Section 5. The boards of trustees shall provide suitable headquarters, and shall appoint such competent investigators and clerical assistants as may be necessary, and shall provide suitable furnishings and stationery, and provide for the payment of salaries and incidental expenses. At no time, however, shall the annual expenses of administration in any county exceed ten per centum of the appropriation for the county for that year, with the exception of the first year, when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars for furnishings.

Sec. 5, Act of July 10, 1919, P. L. 893.

MOTHERS ENTITLED TO ASSISTANCE

Section 6. It shall be the duty of the board of trustees to provide, from the funds made available under the provisions of this

act, as aid in supporting their children in their own homes, assistance to poor and dependent mothers of proved character and ability, who have children under the age of sixteen years, and whose husbands are dead, or permanently confined in institutions for the insane.

Sec. 6, Act of July 10, 1919, P. L. 893.

CITIZENSHIP — RESIDENCE

Section 7. In order to prevent the alienation of the citizenship of those who may receive the benefits under this act, no family shall be a beneficiary thereunder unless the mother is a resident of the State at the time of making application for such assistance and unless the child assisted (1) has resided in this Commonwealth for one year immediately preceding the date of application for such assistance; or (2) was born in this Commonwealth within one year immediately preceding the date of the application for assistance, and whose mother has resided in the Commonwealth for one year immediately preceding the birth.

No family entitled to receive the benefits of this act in any county shall be deemed to have lost its residence in such county within one year after removal therefrom, but any such family shall if it returns to the county in which it was entitled to receive assistance within said year, be immediately entitled to assistance in such county.

Sec. 7, Act of July 10, 1919, P. L. 893, as amended by Sec. 4, Act No. 50, of Aug. 7, 1936.

INVESTIGATION OF FAMILIES

Section 8. The trustees of the various counties shall in no case recommend payment to any mother until they are satisfied that she is of proper character and ability, and that for the proper maintenance of her children in her own home monthly payments are necessary. For such purpose the board of trustees shall cause to be made proper investigations. No payment shall be made on account of any child of proper age and physical ability unless satisfactory report has been made by the teacher of the school in which such pupil is enrolled, stating that such child is attending school.

Sec. 8, Act of July 10, 1919, P. L. 893.

MAXIMUM MONTHLY PAYMENTS

Section 9. The maximum assistance allowed by any board of trustees shall in no case exceed eighteen dollars per month for the first dependent child, and twelve dollars per month for each additional dependent child in the same family. A mother shall be entitled to assistance under this act for an unborn child, in like manner as for other children, if she has one or more children living which entitle her to the benefits of this act.

Sec. 9, Act of July 10, 1919, P. L. 893, as amended by Sec. 5, Act No. 50, of Aug. 7, 1936.

RECORDS OF FAMILIES' REPORTS

Section 10. Before any payment is made to any family under the provisions of this act, a complete report of such family shall be made in quadruplicate, giving the name of the mother, the number of children with their full names, their ages and place of residence. One copy of such report shall be placed on file in the office of the board of trustees as a record, and if the application is approved, one copy shall be forwarded to the Department of Welfare, and two copies shall be forwarded with each application for a warrant for the use of the Auditor General and the county treasurer. The copies forwarded to the Auditor General and the county treasurer shall be sworn to by the investigator, and shall be approved by a majority of the board of trustees. The affidavit on any such report may be taken before any member or employee of the board.

Sec. 10, Act of July 10, 1919, P. L. 893, as amended by Sec. 6, Act No. 50, of Aug. 7, 1936.

Section 11. All payments made under the provisions of this act shall continue at the will of the trustees, but not beyond the time when any child under the provisions of the law may secure employment, excepting where the child is physically unable to earn wages, or is at school with a satisfactory record of attendance and scholarship, in which case such payment shall continue until such child has reached the age of sixteen years.

Sec. 11, Act of July 10, 1919, P. L. 893.

MODE OF PAYMENT

Section 12. All payments made under the provisions of this act by the State Treasurer and by county treasurers shall be made direct to the recipient thereof by warrant.

Sec. 12, Act of July 10, 1919, P. L. 893.

Section 13. (This is the allocation section which is not presently effective, having been superseded by the appropriation law.)

COUNTY APPROPRIATIONS

Section 14. It shall be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation (exclusive of Federal moneys) for such county for such year: Provided, That if any county is financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year, the county commissioners of that county shall file a written application with the Department of Welfare, on a form prescribed by it, asking further appropriation of State funds to that county of a sum equal to the whole or any portion of the amount already allocated under this act to said County for said year, such further State appropriation to be in lieu of all or a part of the appropriation required by this act, to be made by said county for said year. The Department of Welfare shall thereupon conduct an administrative inquiry on a day and at a time fixed, of which at least ten

days' written notice shall be given to all parties interested, and shall hear the testimony of the county commissioners and of such other county officials and other persons as the department may in its discretion require to appear before it, and after considering the financial condition of the said county, the department shall determine whether the said county is entitled to the additional State appropriation requested, or any part thereof, in lieu of an appropriation by the said county, and the department shall thereupon allocate from any appropriation available for the purpose whatever amount the department shall have determined.

Sec. 14, Act of July 10, 1919, P. L. 893, as amended by Sec. 7, Act No. 50, of Aug. 7, 1936.

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Section 15. Any mother of a dependent child may within six months after notice by the county board of trustees that her application for assistance has been refused, or that the assistance, if formerly a beneficiary, has been discontinued, take an appeal from the action of the county board of trustees to the Department of Welfare. The department on a day and at a time fixed by it, of which at least ten days' written notice shall be given to all parties interested, shall hear such testimony as may be offered for and against the allowance of assistance, or for and against the continuation of assistance, and shall determine whether or not the said mother is entitled to assistance if an applicant or to the continuation of assistance if a beneficiary. The Department of Welfare shall report its findings to the county board of trustees from whose action the appeal has been taken, which board of trustees shall carry into effect the order of the department. The action of the department on any appeal shall be final.

Appeals by Rejected Mothers

Sec. 15, Act of July 10, 1919, P. L. 893, as amended by Sec. 8, Act No. 50, of Aug. 7, 1936.

SURPLUS FUNDS

Section 16. The Department of Welfare is empowered and directed to cooperate with the Federal Social Security Board in carrying out the provisions and purposes and administration of title four, of the Act of the Congress of the United States approved the fourteenth day of August, one thousand nine hundred and thirty-five, entitled "An act to provide for the general welfare by establishing a system of Federal old age benefits, and by enabling the several states to make more adequate provisions for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue and for other purposes" and is further empowered to make such reports in such form and containing such information as the Federal Board may from time to time require, and to

comply with such orders and regulations as the said board may from time to time make to assure the correctness and verification of such reports.

Sec. 16, Act of July 10, 1919, P. L. 893, as amended by Sec. 9, Act No. 50, of Aug. 7, 1936.

PENALTIES

Section 17. Any person securing any allowance contrary to the provisions of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo imprisonment for a period not exceeding one year, or both, at the discretion of the court.

Sec. 17, Act of July 10, 1919, P. L. 893.

REPORT BY THE DEPARTMENT OF WELFARE

Section 18. The Department of Welfare is hereby empowered and authorized to cooperate and enter into cooperative agreements with, and to receive contributions from the United States government for aid to dependent children eligible for assistance under this act. All contributions received hereunder from the United States government shall be paid into the State Treasury through the Department of Revenue, and credited to the current appropriations to the Department of Welfare for the payment of assistance to mothers eligible for assistance under the act.

Sec. 18, Act of July 10, 1919, P. L. 893, as amended by Sec. 10, Act No. 50, Aug. 7, 1936.

Section 18. 1. The purpose of the foregoing amendments is to bring the Mothers' Assistance Law of this Commonwealth in accord with title four of the said Social Security Act, and to enable the Commonwealth to receive Federal grants for aid to dependent children.

In the event that title four of the said Social Security Act shall be held unconstitutional by the Supreme Court of the United States, or shall be repealed and Federal grants for aid to dependent children fail for such or for any other reason whatever, then so long as Federal grants for aid to dependent children shall not be available to this Commonwealth the Department of Welfare, and the boards of trustees of the several counties of this Commonwealth shall administer this act in accordance with the following provisions of this section, and to the extent of any inconsistency the foregoing provisions of this act shall for the time being be suspended.

(1) It shall not be mandatory upon each county of the Commonwealth to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year, but no county shall receive its allotment of the State appropriation available for any year under the act making an appropriation to carry into effect the provisions of this act, unless such county has placed at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such year.

(2) The Department of Welfare shall have no power to receive and consider in accordance with section fourteen of this act, as amended, written applications from county commissioners of counties financially unable to place at the disposal of the board of trustees a sum equal to the amount available from the State appropriation for such county in such year asking further appropriation of State funds to that county, nor any power to allocate any such additional appropriations to such counties.

(3) No family shall be a beneficiary hereunder unless the mother has been a resident continuously of the State for a period of two years, and of the county in which she applies for assistance for a period of one year.

(4) The combined maximum payment allowed by any board of trustees shall in no case exceed twenty dollars ($20) per month for the first child and ten dollars ($10) per month for each additional child. A mother shall be entitled to assistance under this act for an unborn child in like manner as for other children if she has one or more children living which entitle her to the benefits of this act.

Sec. 18, 1 as added by Act No. 50, of Aug. 7, 1936.
Sec. 19. (Repealing Clause)

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